

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended) A ~~liposome~~ composition comprising:
 - (a) liposomes comprising a lipid; and
 - (b) [[a]] condensing agent-nucleic acid ~~complex~~ complexes, wherein at least about 30% of said condensing agent-nucleic acid complexes are encapsulated in said ~~liposome~~ liposomes, and wherein said liposomes are less than about 100 nm in diameter.
2. (Currently amended) ~~A liposome~~ The composition in accordance with claim 1, further comprising:
 - (c) a bilayer stabilizing component associated with said ~~liposome~~ liposomes.
3. (Currently amended) ~~A liposome~~ The composition in accordance with claim 2, wherein said bilayer stabilizing component is reversibly associated with said ~~liposome~~ liposomes.
4. (Currently amended) ~~A liposome~~ The composition in accordance with claim 1, wherein said lipid comprises a non-cationic lipid.
5. (Currently amended) ~~A liposome~~ The composition in accordance with claim 4, wherein said non-cationic lipid is a member selected from the group consisting of phosphatidylethanolamines, phosphatidylserines and mixtures thereof.
6. (Currently amended) ~~A liposome~~ The composition in accordance with claim 4, wherein said non-cationic lipid is a member selected from the group consisting of

cardiolipin, diacylphosphatidic acid, N-succinyl-phosphatidylethanolamine, phosphatidic acid, phosphatidylinositol, phosphatidylglycerol, phosphatidyl ethylene glycol and mixtures thereof.

7. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 5, wherein said non-cationic lipid is a member selected from the group consisting of dioleoylphosphatidylethanolamine, dioleoylphosphatidylserine and mixtures thereof.

8. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 1, wherein said condensing agent is a member selected from the group consisting of polyethylenimine, polylysine, polyarginine, polyornithine, histones, protamines, polyamines, spermidine and spermine.

9. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 8, wherein said condensing agent is polyethylenimine having a molecular weight of about 0.8 kDa to about 800 kDa.

10. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 9, wherein said polyethylenimine has a molecular weight of about 10 kDa to about 50 kDa.

11. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 1, wherein said condensing agent-nucleic acid ~~complex complexes~~ [[is]] are about 30 nm to about 60 nm in diameter.

12-13. (Canceled)

14. (Currently amended) ~~A-liposome~~ The composition in accordance with claim [[12]] 1, wherein said ~~liposome liposomes~~ [[is]] are about 70 nm to about 80 nm in diameter.

15. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 2, wherein said bilayer stabilizing component is a member selected from the group

consisting of a lipid, a lipid derivative, a detergent, a polyethylene glycol, a protein, a peptide, a polyamide oligomer, a pH sensitive polymer and a PEG-lipid.

16. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 15, wherein said bilayer stabilizing component is a PEG-lipid.

17. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 16, wherein said lipid of said PEG-lipid stabilizing component is a member selected from the group consisting of ceramides, phosphatidylethanolamines and phosphatidylserines.

18. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 17, wherein said PEG-lipid is a PEG-ceramide.

19. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 18, wherein said PEG-ceramide has an alkyl chain length of about C6 to about C24.

20. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 19, wherein said PEG-ceramide has an alkyl chain length of about C14 to about C20.

21. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 16, wherein said PEG is a polyethylene glycol with an average molecular weight of about 550 to about 8500 daltons.

22. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 21, wherein said PEG has an average molecular weight of about 2000 to about 5000 daltons.

23. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 9, wherein said polyethylenimine : nucleic acid ratio in said condensing agent-nucleic acid ~~complex complexes~~ is about 10:1 ~~wt/wt~~ wt/wt to about 1.5:1 wt/wt.

24. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 23, wherein said polyethylenimine: nucleic acid ratio in said condensing agent-nucleic acid ~~complex complexes~~ is about 6:1 ~~wt/wt~~ wt/wt to about 1.5:1 wt/wt.

25. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 23, wherein said polyethylenimine: nucleic acid ratio in said condensing agent-nucleic acid ~~complex complexes~~ is about 4:1 wt/wt.

26. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 1, wherein said lipid : nucleic acid ratio in said ~~liposome liposomes~~ is about 5:1 wt/wt to about 100:1 wt/wt.

27. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 26, wherein said lipid: nucleic acid weight ratio in said ~~liposome liposomes~~ is about 10:1 wt/wt to about 50:1 wt/wt.

28. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 16, wherein said PEG-lipid comprises about 5 to about 15 mol% of the composition of said ~~liposome liposomes~~.

29. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 18, wherein said PEG-ceramide comprises about 5 to about 15 mol% of the composition of said ~~liposome liposomes~~.

30. (Canceled)

31. (Currently amended) ~~A-liposome~~ The composition in accordance with claim 1, wherein said encapsulated condensing agent-nucleic acid ~~complex represents complexes represent~~ greater than about 40% encapsulation efficiency as determined using picogreen and dextran sulfate.

32. (Currently amended) A method of transfecting a cell with a nucleic acid, said method comprising contacting said cell with a **liposome composition** comprising:

(a) **liposomes comprising** a lipid; and

(b) **[[a]] condensing agent-nucleic acid ~~complex~~ complexes, wherein at least about 30% of said condensing agent-nucleic acid complexes are encapsulated in said liposome liposomes, and wherein said liposomes are less than about 100 nm in diameter.**

33. (Currently amended) **[[A]] The** method of transfecting a cell with a nucleic acid in accordance with claim 32, wherein said **liposome composition** further comprises:

(c) a bilayer stabilizing component associated with said **liposome liposomes**.

34. (Currently amended) **[[A]] The** method of transfecting a cell with a nucleic acid in accordance with claim 33, wherein said bilayer stabilizing component is reversibly associated with said **liposome liposomes**.

35. (Currently amended) **[[A]] The** method of transfecting a cell with a nucleic acid in accordance with claim 32, wherein said lipid comprises a non-cationic lipid.

36. (Currently amended) **[[A]] The** method of transfecting a cell with a nucleic acid in accordance with claim 35, wherein said non-cationic lipid is a member selected from the group consisting of phosphatidylethanolamines, phosphatidylserines and mixtures thereof.

37. (Currently amended) **[[A]] The** method of transfecting a cell with a nucleic acid in accordance with claim 35, wherein said non-cationic lipid is a member selected from the group consisting cardiolipin, diacylphosphatidic acid, N-succinyl-phosphatidylethanolamine, phosphatidic acid, phosphatidylinositol, phosphatidylglycerol, phosphatidyl ethylene glycol and mixtures thereof.

38. (Currently amended) **[[A]] The** method of transfecting a cell with a nucleic acid in accordance with claim 36, wherein said non-cationic lipid is a member selected

from the group consisting of dioleoylphosphatidylethanolamine, dioleoylphosphatidylserine and mixtures thereof.

39. (Currently amended) **[[A]]** The method of transfecting a cell with a nucleic acid in accordance with claim 32, wherein said condensing agent is a member selected from the group consisting of polyethylenimine, polylysine, polyarginine, polyornithine, histones, protamines, polyamines, spermidine and spermine.

40. (Currently amended) **[[A]]** The method of transfecting a cell with a nucleic acid in accordance with claim 39, wherein said condensing agent is polyethylenimine having a molecular weight of about 10 kDa to about 50 kDa.

41. (Currently amended) **[[A]]** The method of transfecting a cell with a nucleic acid in accordance with claim 32, wherein said condensing agent-nucleic acid ~~complex~~ complexes **[[is]]** are about 30 nm to about 60 nm in diameter.

42. (Currently amended) **[[A]]** The method of transfecting a cell with a nucleic acid in accordance with claim 32, wherein said ~~liposome~~ liposomes **[[is]]** are about 70 nm to about 80 nm in diameter.

43. (Currently amended) **[[A]]** The method of transfecting a cell with a nucleic acid in accordance with claim 33, wherein said bilayer stabilizing component is a member selected from the group consisting of a lipid, a lipid-derivative, a detergent, a polyethylene glycol, a protein, a peptide, a polyamide oligomer, a pH sensitive polymer and a PEG-lipid.

44. (Currently amended) **[[A]]** The method of transfecting a cell with a nucleic acid in accordance with claim 43, wherein said bilayer stabilizing agent is a PEG-lipid.

45. (Currently amended) **[[A]]** The method of transfecting a cell with a nucleic acid in accordance with claim 44, wherein said lipid of said PEG-lipid stabilizing agent is

a member selected from the group consisting of ceramides, phosphatidylethanolamines and phosphatidylserines.

46. (Currently amended) **[[A]]** The method of transfecting a nucleic acid into a cell in accordance with claim 45, wherein said bilayer stabilizing agent is a PEG-ceramide.

47. (Currently amended) **[[A]]** The method of transfecting a nucleic acid into a cell in accordance with claim 46, wherein said PEG-ceramide has an alkyl chain length of ~~about C6~~ about C6 to ~~about C24~~ about C24.

48. (Currently amended) **[[A]]** The method of transfecting a nucleic acid into a cell in accordance with claim 47, wherein said PEG- ceramide has an alkyl chain length of about C14 to about C20.

49. (Currently amended) **[[A]]** The method of transfecting a nucleic acid into a cell in accordance with claim 44, wherein said PEG has an average molecular weight of about 550 to about 8500 daltons.

50. (Currently amended) **[[A]]** The method for transfecting a nucleic acid into a cell in accordance with claim 40, wherein said polyethylenimine : nucleic acid ratio in said ~~polyethylenimin~~polyethyleneimine nucleic acid ~~complex~~ complexes is about 10:1 ~~wt/wt~~ wt/wt to about 1.5:1 wt/wt.

51. (Currently amended) **[[A]]** The method of transfecting a nucleic acid into a cell in accordance with claim 50, wherein said polyethylenimine : nucleic acid ratio in said polyethylenimine nucleic acid ~~complex~~ complexes is about 4:1 wt/wt.

52. (Currently amended) **[[A]]** The method for transfecting a nucleic acid into a cell in accordance with claim 32, wherein said lipid: nucleic acid weight ratio in said ~~liposome~~ liposomes is about 10:1 to about 50:1.

53. (Currently amended) **[[A]]** The method for transfecting a nucleic acid into a cell in accordance with claim 44, wherein said PEG-lipid comprises about 5 to about 15 mol% of the composition of said **liposome** liposomes.

54. (Currently amended) **[[A]]** The method for transfecting a nucleic acid into a cell in accordance with claim 46, wherein said PEG-ceramide comprises about 5 to about 15 mol% of the composition of said **liposome** liposomes.

55-66. (Canceled)

67. (New) The composition in accordance with claim 1, wherein said condensing agent-nucleic acid complexes have a nucleic acid concentration of about 50 µg/mL to about 1000 µg/mL.

68. (New) The composition in accordance with claim 7, wherein said non-cationic lipid is a mixture of dioleoylphosphatidylethanolamine and dioleoylphosphatidylserine.

69. (New) The composition in accordance with claim 68, wherein said dioleoylphosphatidylserine comprises about 7 to about 10 mol% of the composition of said liposomes.

70. (New) A composition comprising:

(a) liposomes comprising a non-cationic lipid, wherein said non-cationic lipid is a member selected from the group consisting of phosphatidylethanolamines, phosphatidylserines and mixtures thereof, and a bilayer stabilizing component associated with said liposomes, wherein said bilayer stabilizing component is a PEG-lipid; and

(b) condensing agent-nucleic acid complexes, wherein at least about 30% of said condensing agent-nucleic acid complexes are encapsulated in said liposomes, and wherein said liposomes are less than about 100 nm in diameter.

71. (New) The composition in accordance with claim 70, wherein said non-cationic lipid is a member selected from the group consisting of dioleoylphosphatidylethanolamines, dioleoylphosphatidylserines and mixtures thereof, and wherein said condensing agent is polyethylenimine.

72. (New) The composition in accordance with claim 71, wherein said non-cationic lipid is a non-cationic lipid mixture of dioleoylphosphatidylethanolamine and dioleoylphosphatidylserine, wherein said dioleoylphosphatidylserine comprises about 7 to about 10 mol% of the composition of said liposomes, and wherein said PEG-lipid comprises about 5 to about 15 mol% of the composition of said liposomes.